



REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN BOARD of DIRECTORS MEETING

Minutes of the Inaugural Board Meeting of the Regional District of Okanagan-Similkameen (RDOS) Board of Directors held at 1:15 p.m. Thursday, November 2, 2017 in the Boardroom, 101 Martin Street, Penticton, British Columbia.

MEMBERS PRESENT:

Chair K. Kozakevich, Electoral Area "E"
Vice Chair M. Bauer, Village of Keremeos
Director F. Armitage, Town of Princeton
Director T. Boot, District of Summerland
Director M. Brydon, Electoral Area "F"
Director G. Bush, Electoral Area "B"
Director E. Christensen, Electoral Area "G"
Director B. Coyne, Electoral Area "H"
Director R. Hovanes, Town of Oliver

Director A. Jakubeit, City of Penticton
Director H. Konanz, City of Penticton
Director A. Martin, City of Penticton
Director S. McKortoff, Town of Osoyoos
Director M. Pendergraft, Electoral Area "A"
Director J. Sentes, City of Penticton
Director T. Schafer, Electoral Area "C"
Director T. Styffe, Alt. Electoral Area "D"
Director P. Waterman, District of Summerland

MEMBERS ABSENT:

Director T. Siddon, Electoral Area "D"

STAFF PRESENT:

B. Newell, Chief Administrative Officer
C. Malden, Manager of Legislative Services

A. CALL TO ORDER

2017 Board Chair Kozakevich called the meeting to order and advised of the order of business.

B. RDOS CHAIR 2017 ANNUAL YEAR-END REPORT

Director Kozakevich, RDOS Chair for 2017, presented the Chair's Annual Report.

C. ELECTION OF 2018 BOARD CHAIR AND VICE CHAIR

1. Chairperson Election Process

It was MOVED and SECONDED

THAT Christy Malden and Gillian Cramm be appointed scrutineers. - **CARRIED**

BOARD CHAIR

CAO Newell called for nominations for the position of RDOS Board Chair.

Nomination: Director Armitage nominated Director Kozakevich

CAO Newell called two more times for nominations. No further nominations were put forward.

By consensus, the nominations for Board Chair were closed. CAO Newell declared Director Kozakevich was elected by acclamation as RDOS Chair for the ensuing year.

BOARD VICE CHAIR

CAO Newell called for nominations for the position of RDOS Board Vice Chair.

Nomination: Director Bush nominated Director Bauer.

Nomination: Director Martin nominated Director Jakubeit.

CAO Newell called two more times for nominations. No further nominations were put forward.

By consensus, the nominations for Board Vice Chair were closed.

Nominees were given an opportunity to provide a brief speech.

CAO Newell announced the results of the secret ballot was a tie vote. As the result, the position of Vice Chair was determined by the toss of a coin. CAO Newell declared Director Bauer elected RDOS Vice Chair for the ensuing year.

It was MOVED and SECONDED

THAT the Board of Directors direct the scrutineers to destroy the ballots. - **CARRIED**

D. APPROVAL OF AGENDA

RECOMMENDATION 1 (Unweighted Corporate Vote – Simple Majority)

IT WAS MOVED AND SECONDED

THAT the [Agenda](#) for the RDOS Board Meeting of November 02, 2017 be adopted.

CARRIED

E. CONSENT AGENDA**1. Consent Agenda – Corporate Issues****a. Corporate Services Committee – October 19, 2017**

THAT the Minutes of the October 19, 2017 Corporate Services Committee be received.

b. Community Services Committee – October 19, 2017

THAT the Minutes of the October 19, 2017 Community Services Committee be received.

THAT the Committee recommend the Board of Directors support the nomination of See Ya Later Ranch Barn for inclusion on the RDOS Community Heritage Register.

c. Environment and Infrastructure Committee – October 19, 2017

THAT the Minutes of the October 19, 2017 Environment and Infrastructure Committee be received.

THAT the Regional District of Okanagan-Similkameen submit a request to the BC Minister of Environment for a major amendment to the Regional Solid Waste Management Plan regarding the location and capital costs of the Apex Mountain Waste Transfer Station:

- *That the SWMP be amended to show the exact address of the facility will be at 220 Strayhorse Rd, Apex Mountain;*
- *That the SWMP be amended to show estimated capital costs for design, tendering and construction of the Apex Mountain Waste Transfer Station has been estimated at \$592,790;*
- *That these facts have been presented to affected residents through significant public consultation process.*

THAT for the Apex Mountain Waste Transfer Station the Regional District of Okanagan-Similkameen recover capital costs from taxation and operational costs as a fee for service.

d. Planning and Development Committee – October 19, 2017

THAT the Minutes of the October 19, 2017 Planning and Development Committee be received.

e. Protective Services Committee – October 19, 2017

THAT the Minutes of the October 19, 2017 Protective Services Committee be received.

f. RDOS Regular Board Meeting – October 19, 2017

THAT the minutes of the October 19, 2017 RDOS Regular Board meeting be adopted.

RECOMMENDATION 2 (Unweighted Corporate Vote – Simple Majority)**IT WAS MOVED AND SECONDED**THAT the Consent Agenda – Corporate Issues be adopted. - **CARRIED**

2. Consent Agenda – Development Services

- a. Development Variance Permit Application – 178 Juniper Avenue, Kaleden, Electoral Area “D”
 - i. Permit No. D2017.135-DVP

To formalize the construction of a concrete-block retaining wall.

THAT the Board of Directors approve Development Variance Permit No. D2017.135–DVP.

- b. Development Variance Permit Application – 2710 Noyes Road, Naramata, Electoral Area “E”
 - i. Permit No. E2017.143-DVP

To allow for an accessory structure (shed) to be sited within an interior side yard setback.

THAT the Board of Directors approve Development Variance Permit No. E2017.143–DVP.

RECOMMENDATION 3 (Unweighted Rural Vote – Simple Majority)**IT WAS MOVED AND SECONDED**THAT the Consent Agenda – Development Services be adopted. - **CARRIED**

F. DEVELOPMENT SERVICES – Building Inspection**1. Building Bylaw Infraction, 590 Sovereign Road, Okanagan Falls, Electoral Area “D”**

The Chair enquired whether the property owner was present to speak to the application; however, no one was present.

RECOMMENDATION 4 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT a Section 302 Notice on Title, pursuant to Section 302 of the Local Government Act and Section 57 of the Community Charter (made applicable to Regional Districts by Section 302 of the LGA), be filed against the title of lands described as Lot 9 Shown on Plan B16861, District Lot 697S, SDYD, District Plan 1434, that certain works have been undertaken on the lands contrary to the Regional District Okanagan-Similkameen Building Bylaw No. 2333; and

THAT injunctive action be commenced.

CARRIED

G. DEVELOPMENT SERVICES – Rural Land Use Matters**1. Early Termination of Land Use Contract – 8127 River Road, Oliver, Electoral Area “C”**

- a. Bylaw No. 2452.18, 2017
- b. Bylaw No. 2453.31, 2017
- c. Responses Received

The public hearing for this item was been held Thursday, November 02, 2017 at 9:00 a.m. in the RDOS Board Room located at 101 Martin Street, Penticton.

RECOMMENDATION 5 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT Bylaw No. 2452.18, 2017, Electoral Area “C” Official Community Plan Amendment Bylaw and Bylaw No. 2453.31, 2017, Electoral Area “C” Zoning Amendment Bylaw be read a third time. - **CARRIED**

2. Agricultural Land Commission Referral (Subdivision) – 8856 Highway 97, Oliver, Electoral Area “C”

To facilitate the subdivision of the subject property into two (2) new parcels of approximately 11.725 ha (Lot 1) and 13.655 ha (Lot 2).

RECOMMENDATION 6 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors “authorize” the application to undertake a two lot subdivision at 8856 Highway 97 in Electoral Area “C” to proceed to the Agricultural Land Commission. - **CARRIED**

Opposed: Directors Brydon, Christensen

3. Review and Update of the Electoral Area “G” Zoning Bylaw
 - a. Bylaw No. 2781, 2017 - Schedule "1" Electoral Area "G" Zoning Text
 - b. Bylaw No. 2781, 2017 - Schedule "2" Electoral Area "G" Zoning Map
 - c. Bylaw No. 2781, 2017 - Schedule "3" Similkameen River Provincial Floodplain Maps
 - d. Responses Received

Administration is proposing that the Regional District Board initiate an update of the Electoral Area “G” Zoning Bylaw, as it has not been the subject of such a review since its adoption in 1977.

The impetus for this review has arisen from a recent rezoning to allow for an “accessory dwelling” on a property which highlighted the out-of-date nature of the bylaw. The intent of the proposed new Electoral Area “G” Zoning Bylaw No. 2781 is to modernize the bylaw, but still keep the same regulations and use restrictions provided in the current bylaw.

The current bylaw only applies to 41 parcels, and the replacement Electoral Area “G” Zoning Bylaw will apply to these same parcels (i.e. no new parcels are being zoned as part of this process).

RECOMMENDATION 7 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Regional District of Okanagan-Similkameen, Electoral Area “G” Zoning Bylaw No. 2781, 2017, be read a first and second time and proceed to a public hearing;

AND THAT the holding of a public hearing be scheduled for the Regional District Board meeting of December 7, 2017;

AND THAT staff give notice of the public hearing in accordance with the requirements of the *Local Government Act*.

It was MOVED and SECONDED

THAT the motion be amended to include “as amended to reflect that Section 10.1.4(c) of the Draft Electoral Area “G” Zoning Bylaw No. 2781 be amended by removing the reference to “on parcels classified as ‘farm’ under the *Assessment Act*,” after “be read a first and second time.” - **CARRIED**

QUESTION ON THE MAIN MOTION AS AMENDED

THAT Regional District of Okanagan-Similkameen, Electoral Area “G” Zoning Bylaw No. 2781, 2017, be read a first and second time as amended to reflect that Section 10.1.4(c) of the Draft Electoral Area “G” Zoning Bylaw No. 2781 be amended by removing the reference to “on parcels classified as ‘farm’ under the *Assessment Act* and proceed to a public hearing; and

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of December 7, 2017; and

THAT staff give notice of the public hearing in accordance with the requirements of the Local Government Act.

CARRIED

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4. Zoning Bylaw Amendments – Retaining Walls and Building Height Review, Electoral Areas “A”, “C”, “D”, “E”, “F”, & “H”
- a. Bylaw No. 2773, 2017
 - b. Responses Received

The purpose of Amendment Bylaw No. 2773 is generally to address consistency issues currently existing within the various Electoral Area zoning bylaws as they relate to the calculation of height and regulation of retaining walls, but to also address:

- new definitions related to “height” “retaining wall”, “structure”, “parcel”, “parcel coverage”, “parcel area, useable” and “panhandle”;
- updated general regulations pertaining to Projections and Fence Heights and new regulations pertaining to Retaining Walls;
- a re-ordering of bylaw sections related to “Administration”, “Basic Provisions”, “Creation of Zones” and “Subdivision Regulations” in order to improve and clarify the intent of these sections across Electoral Areas.

RECOMMENDATION 8 (Unweighted Rural Vote – Simple Majority)**It was MOVED and SECONDED**

THAT Bylaw No. 2773, 2017, Regional District of Okanagan-Similkameen Retaining Wall and Building Height Update Amendment Bylaw be read a first and second time and proceed to a public hearing; and,

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of December 7, 2017; and,

THAT staff give notice of the public hearing in accordance with the requirements of the Local Government Act.

CARRIED

5. Official Community Plan (OCP) & Zoning Bylaw Amendments – Dominion Radio Astrophysical Observatory (DRAO), Electoral Areas “C” & “D-1”
 - a. Bylaw No. 2777, 2017
 - b. Oliver Rural Official Community Plan Bylaw No. 2452, 2008 – Schedule “F” Dominion Radio Astrophysical Observatory (DRAO) – Radio Frequency Interference (RFI) Area
 - c. Oliver Rural Official Community Plan Bylaw No. 2452, 2008 – Schedule “3” Dominion Radio Astrophysical Observatory (DRAO) – Radio Frequency Interference (RFI) Area
 - d. Electoral Area “D” Zoning Bylaw No. 2457, 2008 – Schedule “3” Dominion Radio Astrophysical Observatory (DRAO) – Radio Frequency Interference (RFI) Area
 - e. Responses Received

Amendment Bylaw No. 2777 seeks to amend the Electoral Area “C” Official Community Plan and Zoning Bylaws and Electoral Area “D-1” Zoning Bylaw as they relate to the Dominion Radio Astrophysical Observatory (DRAO) in order to ensure consistency of objectives, policies, regulations and mapping across those Electoral Areas to which DRAO’s Radio Frequency Interference (RFI) Area applies.

RECOMMENDATION 9 (Unweighted Rural Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2777, 2017, Regional District of Okanagan-Similkameen Dominion Radio Astrophysical Observatory Official Community Plan and Zoning Amendment Bylaw be read a first and second time and proceed to a public hearing; and

THAT the Board of Directors considers the process, as outlined in the report from the Chief Administrative Officer dated November 2, 2017, to be appropriate consultation for the purpose of Section 475 of the Local Government Act; and

THAT, in accordance with Section 477 of the Local Government Act, the Board of Directors has considered Amendment Bylaw No. 2777, 2017, in conjunction with its Financial and applicable Waste Management Plans; and

THAT the holding of a public hearing be scheduled for the Regional District Board meeting of December 7, 2017; and

THAT staff give notice of the public hearing in accordance with the requirements of the Local Government Act.

CARRIED

H. FINANCE

1. Electoral Area “H” Community Facilities Capital Reserve Fund Expenditure
 - a. Bylaw No. 2786, 2017

RECOMMENDATION 10 (Weighted Corporate Vote – 2/3 Majority)**It was MOVED and SECONDED**

THAT Bylaw No. 2786, 2017, being a bylaw of the Regional District of Okanagan Similkameen to authorize an expenditure of \$78,496.00 from the Electoral Area “H” Community Facilities Capital Reserve Fund Expenditure Bylaw, be read a first, second and third time and be adopted. - **CARRIED**

I. LEGISLATIVE SERVICES

1. 2018 RDOS Schedule of Meetings

RECOMMENDATION 11 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT the 2018 Regional District of Okanagan-Similkameen Board and Committee Schedule of Meetings, as provided in the November 2, 2017 report from the Chief Administrative Officer, be approved. - **CARRIED**

2. 2018 Advisory Planning Commission Schedule of Meetings

RECOMMENDATION 12 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT the Board of Directors accept the 2018 APC Meeting Schedule for the Electoral Area Advisory Planning Commissions. - **CARRIED**

3. 2018 Regional District Signing Authority

RECOMMENDATION 13 (Unweighted Corporate Vote – Simple Majority)**It was MOVED and SECONDED**

THAT the Board of Directors appoint the following Directors as signing officers for the Regional District of Okanagan-Similkameen for the 2018 year:

RDOS Board Chair Kozakevich
RDOS Board Vice Chair Bauer

CARRIED

4. Committee Chairs
 - a. Board Policy – Terms of Reference-Select Committees
-

5. External Agency Appointments
-

6. Sterile Insect Release Board – Nomination of Industry Representative
 - a. SIR Nomination Letter

To obtain support from the Board of Directors for the BC Fruit Growers' Association (BCFGA) nomination to the SIR Board.

RECOMMENDATION 14 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT the Board of Directors confirm the nomination of Walter Makepeace as the Zone 1 representative to the Sterile Insect Release (SIR) Board. - **CARRIED**

7. Province of BC – Population for Regional District of Okanagan-Similkameen
-

8. Sun Valley Water Service Conversion and Continuation Bylaw
 - a. Bylaw No. 2764, 2017

RECOMMENDATION 15 (Unweighted Corporate Vote – Simple Majority)

It was MOVED and SECONDED

THAT Bylaw No. 2764, 2017 Regional District of Okanagan-Similkameen Sun Valley Water Service Conversion and Continuation Bylaw be adopted. - **CARRIED**

J. CAO REPORTS

1. Verbal Update
-

K. OTHER BUSINESS

1. Chair's Report
-

2. Directors Motions
-

3. Board Members Verbal Update
-

L. ADJOURNMENT

By consensus, the meeting adjourned at 2:30 p.m.

APPROVED:

CERTIFIED CORRECT:

K. Kozakevich
RDOS Board Chair

B. Newell
Corporate Officer